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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

JAMES M. KINDER, Plaintiff, vs. HARRAH'S ENTERTAINMENT, INC. and DOES 1 through 100, inclusive, Defendants.	CASE NO. 07 CV 2226 DMS (POR) Judge: Hon. Dana M. Sabraw Mag. Judge: Hon. Louisa S. Porter PROOF OF SERVICE

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Kinder v. Harrah's Entertainment, Inc.
United States District Court, Southern District of California Case No. 07 CV 02226 DMS (POR)

PROOF OF SERVICE

I, Ronald R. Giusso, caused the attorney(s) on the service list to be served via the Court's electronic filing system per local Rule 5.4.

On January 21, 2008, I served the following document(s) described as

- ***EX PARTE*** **APPLICATION FOR ORDER STRIKING THE NEWLY SUBMITTED MATTERS PRESENTED IN KINDER'S REPLY IN SUPPORT OF MOTION TO FILE AN AMENDED COMPLAINT OR, IN THE ALTERNATIVE, FOR A CONTINUANCE OF 14 DAYS TO ALLOW** ***SPECIALLY APPEARING*** **DEFENDANT TO FILE A SUR-REPLY AND RELATED PLEADINGS**

- **POINTS AND AUTHORITIES IN SUPPORT OF** ***SPECIALLY APPEARING*** **DEFENDANT'S** ***EX PARTE*** **APPLICATION FOR ORDER STRIKING THE NEWLY SUBMITTED MATTER PRESENTED IN KINDER'S REPLY IN SUPPORT OF MOTION TO FILE AN AMENDED COMPLAINT OR, IN THE ALTERNATIVE, FOR A CONTINUANCE TO ALLOW** ***SPECIALLY APPEARING*** **DEFENDANT 14 DAYS TO FILE A SUR-REPLY AND RELATED PLEADINGS**

- **DECLARATION OF RONALD R. GIUSSO IN SUPPORT OF** ***SPECIALLY APPEARING*** **DEFENDANT'S** ***EX PARTE*** **APPLICATION FOR ORDER STRIKING THE NEWLY SUBMITTED MATTERS PRESENTED IN KINDER'S REPLY IN SUPPORT OF MOTION TO FILE AN AMENDED COMPLAINT OR, IN THE ALTERNATIVE, FOR A CONTINUANCE OF 14 DAYS TO ALLOW** ***SPECIALLY APPEARING*** **DEFENDANT TO FILE A SUR-REPLY AND RELATED PLEADINGS**

- **[PROPOSED] ORDER STRIKING THE NEWLY SUBMITTED MATTERS PRESENTED IN KINDER'S REPLY IN SUPPORT OF MOTION TO FILE AN AMENDED COMPLAINT OR, IN THE ALTERNATIVE, FOR A CONTINUANCE OF 14 DAYS TO ALLOW** ***SPECIALLY APPEARING*** **DEFENDANT TO FILE A SUR-REPLY AND RELATED PLEADINGS**

Chad Austin — Attorney for Plaintiff JAMES M. KINDER
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chadaustin@cox.net

Executed on January 21, 2008, at San Diego, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

/s/Ronald R. Giusso